



April 1, 2020

Walter E. Judge, Jr.
Attorney for Defendants

VIA ELECTRONIC MAIL

Hon. Christina Reiss
United States District Court
P.O. Box 446
Burlington, VT 05402-0446

Re: *James Ehlers, on behalf of himself and all others similarly situated v.
Ben & Jerry's Homemade Inc., and Conopco, Inc.*
Docket No. 2:19-cv-194-cr

Dear Judge Reiss:

I write to advise the Court of the Second Circuit's decision yesterday in *Chen v. Dunkin' Brands, Inc.*, No. 18-3087-cv (2d Cir. Mar. 31, 2020) (attached hereto), which is pertinent to Defendants' motion to dismiss, and specifically, the Court's analysis of whether a reasonable consumer would be misled by the allegedly deceptive statement on Ben & Jerry's website.

Thank you for your attention to this matter.

Respectfully submitted,

/s/ Walter E. Judge, Jr.

Walter E. Judge, Jr.
Attorney for Defendants

Enclosure

cc: All counsel of record (via CM/ECF and email)

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